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January 26, 2023

Via ECF

The Honorable John G. Koeltl, U.S. District Judge
U.S. District Court, Southern District of New York
500 Pearl St.
New York, NY 10007

**Re: *NSI International, Inc. v. Horizon Group USA, Inc.*,
Docket No. 1:20-cv-08389 (S.D.N.Y. Oct. 07, 2020)**

Dear Judge Koeltl:

We represent Plaintiff NSI International, Inc. (“NSI”) in the above-referenced matter. We are writing to request an extension of the fact discovery deadline and extension of corresponding deadlines below. Prior to submitting this request for an extension, our office conferred with Defendant’s counsel, Armin Ghiam, Esq., and he consented to the extension request.

NSI and Horizon Group USA, Inc (“Horizon”) (together with NSI, the “Parties) are engaging in discovery in the normal course. The fact discovery deadline is presently February 17, 2023. (See Order dated Nov. 1, 2022, ECF No. 81). Most recently, (1) Horizon served an additional production of documents responsive to NSI’s document requests on December 2, 2022, (2) Horizon served Fourth Requests for Production of Documents, a Second Set of Interrogatories, and Second Requests for Admission on January 18, 2023, and (3) the Parties are each preparing to schedule depositions.

However, the Parties are also in the process of conferring about alleged discovery deficiencies, including documents that will need to be produced before at least some of the depositions can take place. Finally, NSI’s counsel has significant pre-existing cross-country travel for several hearings in other matters in February.

Given all of the above, the Parties anticipate needing additional time to complete discovery, and in particular to schedule depositions. In light of the foregoing, we respectfully request that the February 17, 2022 fact discovery deadline be extended to April 3, 2023, and that any other affected deadlines be extended by the same length of time, as follows:

Magistrate Judge Cott
January 26, 2023

EVENT	CURRENT DATE	PROPOSED DATE
Fact Discovery Cutoff	February 17, 2023	April 3, 2023
Initial Designation of Experts and Expert Reports	March 21, 2023	May 5, 2023
Rebuttal Expert Report Deadline	April 18, 2023	June 2, 2023
Expert Discovery Cutoff	June 19, 2023	August 3, 2023
Dispositive Motion Filing Deadline	July 9, 2023	August 23, 2023
Joint Pretrial Order Due	August 8, 2023	September 22, 2023
Pretrial Conference		
Pre-Trial Filings Due	August 8, 2023 or 21 days after decision of any dispositive motion	September 22, 2023 or 21 days after decision of any dispositive motion
Trial Date	At the Court's earliest convenience; Ready – Trial 48 hours' notice, 21 days after the filing of the Joint Pre-Trial Order.	At the Court's earliest convenience; Ready – Trial 48 hours' notice, 21 days after the filing of the Joint Pre-Trial Order.

The initial scheduling order deadlines (see ECF No. 49) were reset by the Court following the Court's decision on NSI's Motion to Dismiss, (Mot. to Dismiss Order, ECF No. 57; Scheduling Order, ECF No. 64.). This is the Parties' second request for an Order resetting deadlines. The Parties requested an Order resetting deadlines on October 14, 2022, which was granted on October 17, 2022, (ECF No. 70) and the fact discovery deadline was reset to February 17, 2023, (ECF No. 81).

The Parties thank the Court for its consideration of this request.

Respectfully yours,



Michael J. Zinna

cc: All Counsel of Record